



4410-15

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree under the Clean Water Act

On July 11, 2016, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Southern District of Texas in the lawsuit entitled *United States v. Sunoco Pipeline L.P.*, Civil Action No. 3:16-cv-00178.

The Complaint against Sunoco Pipeline L.P. (“Defendant”) alleges claims under sections 301 and 311 of the Clean Water Act, 33 U.S.C. sections 1311 and 1321, for two separate oil spills from Defendant’s facilities into waters of the United States. The first discharge occurred between August 20 and August 26, 2009, at Defendant’s Barbers Hill Station located near Mont Belvieu, Chambers County, Texas. The second discharge occurred on or about February 14, 2011, at Defendant’s Cromwell Station located near Cromwell, Oklahoma. The Complaint seeks injunctive relief, pursuant to section 301(a) and 309(b) of the CWA, 33 U.S.C. sections 1311(a) and 1319(b), and civil penalties, pursuant to section 311(b) of the CWA, 33 U.S.C. 1321(b).

Under the proposed settlement, Sunoco will perform injunctive relief at its Barbers Hill Station, Cromwell Station, and 54 additional facilities that connect to Defendant’s pipelines in Texas and Oklahoma and are otherwise similar to those facilities that experienced the spills. The proposed Consent Decree also requires Defendant to revise certain control room procedures and pay an \$850,000 civil penalty to the United States.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Sunoco Pipeline L.P.*, D.J. Ref. No. 90-5-1-1-10074. All comments must be submitted no later than

thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov
By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the proposed Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library  
U.S. DOJ – ENRD  
P.O. Box 7611  
Washington, D.C. 20044-7611

Please enclose a check or money order for \$14.00 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy requested without the exhibits and signature pages, the cost is \$11.00.

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